

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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KEVIN FERNANDEZ,	)	
	)	
Plaintiff,	)	3:06-cv-00628-LRH-RAM
	)	
v.	)	
	)	<u>ORDER</u>
STATE OF NEVADA, et al.,	)	
	)	
Defendants.	)	
_____	)	

Before this Court is Report and Recommendation of U.S. Magistrate Robert A. McQuaid, Jr. (#107<sup>1</sup>) entered on August 6, 2008, recommending denying Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction (#47) filed on February 11, 2008. Plaintiff filed his Objections to Magistrate Judge's Report and Recommendations (#119) on August 19, 2008, and Defendants filed their Response to Plaintiff's Objections to Magistrate Judge's Report and Recommendations on September 4, 2008 (#125), pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 1B 3-2 of the Rules of Practice of the United States District Court for the District of Nevada.

The Court has conducted its *de novo* review in this case, has fully considered the objections of the Plaintiff, the pleadings and memoranda of the parties and other relevant matters of record pursuant to 28 U.S.C. § 636 (b) (1) and Local Rule IB 3-2. The Court determines that the Magistrate

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<sup>1</sup>Refers to court's docket number.

1 Judge's Report and Recommendation (#107) entered on August 6, 2008, should be adopted and  
2 accepted.

3 IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation  
4 (#107) entered on August 6, 2008, is adopted and accepted, and Plaintiff's Motion for Temporary  
5 Restraining Order and Preliminary Injunction (#47) is moot and is, therefore, DENIED.

6 IT IS SO ORDERED.

7 DATED this 13<sup>th</sup> day of March, 2009.

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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE  
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